

No. # 21 - 15151

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

George Jarvis Austin,

Plaintiff-Appellant [or Plaintiff-Appellee],

v.

Tesla, et. al.

Defendant-Appellee [or Defendant-Appellant].

On Appeal from the United States District Court
for the Northern District of California

No.3:20:00800

Hon. District Judge Chen

LETTER CLARIFICATION

George Jarvis Austin, esq. (TBA). Pro Se
2107 Montauban Ct., Stockton, CA
209.915.6304,
gaustin07@berkeley.edu
Appellant, Pro Se

MOTION FOR ADDITIONAL TIME FOR WRIT OF CERT.

Good Afternoon, and Happy Friday Eve,Ninth Circuit

Mr. Austin acknowledges, and appreciates, the current posture of the Court, and in accord with the mandate filed by the Court today, which apparently began the timeframe for potentially filing Supreme Court Cert. Mr. Austin requests verification per the Court's accounting system, as to whether the exact date for the initial 90 days for Supreme Court Cert. is January 13, 2023 or earlier?

“Previous Motion.

Thus, Mr. Austin motions for reconsideration on both the final judgment (as Tesla admits they retaliated days after Mr. Austin made formal complaints of labor code FLSA wage violations, State of California's Auditing Department confirmed the substance, and provided specific amount of Tesla's violations, as joint employer, and admitted other violations as well) as well grant of extension of time to file Writ of Cert (as Mr. Austin can simultaneously file motion for extension with Supreme Court).

Mr. Austin motions reconsideration for additional time to potentially file a Writ of Certiorari normally within 90 days of final Judgment (which would begin to tick today 9/29/22). However, Mr. Austin would like to take additional time for due diligence to ensure all correct procedures, and perspectives, are considered before filing, and proceeding, and thus requests an extension of time.

Extension on Usual Time for Filing

Typically per Supreme Court “You must file your petition for a writ of certiorari within 90 days from the date of the entry of the final judgment in the United States court of appeals or highest state appellate court or 90 days from the denial of a timely filed petition for rehearing.”

During the pandemic the Supreme Court extended their deadline until 150 days due logistical, strained resources, and health concerns. Similarly, with respect two the first two factors (logistics and temporarily strained resources) because Mr. Austin works more than full time while maintaining excellent grades (Straight As and A+’s last nine semesters) and separately has a very heavy workload due to racist, discriminatory, and illegal conduct done directly to him, as a Black man, and survivor of the Black American Holocaust

<https://www.abhmuseum.org/about/what-is-the-black-holocaust/> in the New Jim,

and Jane, Crow era more time is needed. This type of conduct creates additional challenges, and constraints, in every area of his life including employment, cash flow, time and attention, that the racist, and discriminatory conduct affects), triggering legal action and causing caseload responsibilities similar to that of a corporate law firm associate, but done Pro Se (self represented) without the structural supports of research departments, information tech, paralegals, legal secretaries, nor a law degree, nor law license, or corporate law expenditure accounts. The cost in Mr. Austin's budget (time, money, attention, etc.) call for additional runway. Thus Mr. Austin motions for an additional 90 days (or total of 180 days: 4/29/23 approximately) to potentially file Supreme Court Writ of Certiorari."